

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

FILED  
JAMES BONINI  
CLERK

07 SEP 28 PM 12:11

Frank Kahsar  
7404 Plainfield Rd.  
Cincinnati, OH 45236

Plaintiff,

v.

Bonded Credit Bureau, Inc.  
c/o Donald D. Wood, Jr., Registered Agent  
6906 Plainfield Road  
Cincinnati, OH 45236

Defendant.

CASE NO.: **1:07 CV 808**

JUDGE: **J. DLOTT**

**COMPLAINT FOR DAMAGES  
UNDER THE FAIR DEBT  
COLLECTION PRACTICES ACT  
AND OTHER EQUITABLE RELIEF**

**JURY DEMAND ENDORSED HEREIN**

**JURISDICTION AND VENUE**

1. Jurisdiction is founded on 28 U.S.C. §1331 pursuant to the Fair Debt Collections Practices Act (FDCPA), 15 U.S.C. §1692. Venue is proper in this district because this is the judicial district where all of the events giving rise to the cause of action took place.

**FACTS COMMON TO ALL COUNTS**

2. The Plaintiff is a person who incurred a consumer debt primarily for personal, family or household purposes.
3. Defendant is a corporation doing business primarily as a consumer debt collector.
4. Defendant is a debt collector as defined by the FDCPA, 15 U.S.C. §1692a(6).
5. The Plaintiff is a "consumer" as defined by 15 U.S.C. §1692a(3).
6. The debt in question qualifies as a "debt" as defined by 15 U.S.C. §1692a(5).

7. Defendant is either the holder of the debt or was retained by the current holder to collect the debt.
8. All of Defendant's actions occurred within one year of the date of this Complaint.
9. In or around June 2007, Defendant contacted Plaintiff by telephone several times regarding Plaintiff's debt.
10. During one of the communications referenced above, Defendant threatened to sue Plaintiff if Plaintiff did not make a payment.
11. During one of the communications referenced above, Defendant threatened to garnish Plaintiff's wages if Plaintiff did not make a payment.
12. Plaintiff is emotionally distraught and has been compelled to hire counsel to prosecute this action.
13. Defendant has damaged Plaintiff emotionally and mentally and has caused substantial anxiety and stress.
14. Defendant violated the FDCPA.

#### **COUNT ONE**

##### **Violation of the Fair Debt Collections Practices Act**

15. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
16. The Defendant violated 15 U.S.C. §1692f in that its actions were unfair and/or unconscionable means to collect a debt.

#### **COUNT TWO**

##### **Violation of the Fair Debt Collections Practices Act**

17. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
18. The Defendant violated 15 U.S.C. §1692e, generally, by having non-attorneys overtly state that they could control the decision to litigate and the timing and scope of the litigation, when in fact this would be an attorney decision.

**COUNT THREE**

**Violation of the Fair Debt Collections Practices Act**

19. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
20. The Defendant violated 15 U.S.C. §1692e in that it threatened legal action where such action was not contemplated, and stated for the sole purpose of terrifying the Plaintiff.

**COUNT FOUR**

**Violation of the Fair Debt Collections Practices Act**

21. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
22. The Defendant violated 15 U.S.C. §1692e by making misrepresentations during its conversations with Plaintiff.

**JURY DEMAND**

23. Plaintiff demands a trial by jury.

**PRAYER FOR RELIEF**

24. Plaintiff prays for the following relief:
  - a. Judgment against Defendant for actual damages, statutory damages pursuant to 15 U.S.C. §1692k and costs, and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
  - b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Macey & Aleman, P.C.

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